

UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

United States of America

v.

RICKY BLYTHE

Defendant(s)

Case No.

1:21-mj-0088

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 28, 2021 in the county of Marion in the
Southern District of Indiana, the defendant(s) violated:

*Code Section**Offense Description*

21 USC 841(a)(1)

Possession with Intent to Distribute 500 Grams or More of Methamphetamine

18 USC 922(g)(1)

Previously Convicted Felon in Possession of a Firearm

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

/s/ Todd Bevington

Complainant's signature

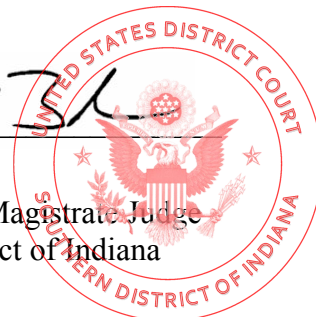
Todd Bevington, ATF Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by
telephone *(reliable electronic means)*

Date: 1/29/2021City and state: Indianapolis, Indiana

Tim A. Baker
 United States Magistrate Judge
 Southern District of Indiana



AFFIDAVIT IN SUPPORT OF
APPLICATION FOR CRIMINAL COMPLAINT

1. I, Todd J. Bevington, am a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) and have been so employed since December of 2013. Prior to ATF, I was a police officer and detective with the Richmond, Virginia, Police Department for over thirteen years. I graduated from the Federal Law Enforcement Training Center and am currently assigned to the ATF-Indianapolis Field Office. I have participated in numerous state and federal firearms and narcotics investigations.

2. This affidavit is submitted in support of a criminal complaint charging Ricky BLYTHE (date of birth XX/XX/1977) with possession of a firearm and/or ammunition by a prohibited person, in violation of Title 18, United States Code, Section 922(g)(1) and possession with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, in violation of Title 21, United States Code, Section 841(a)(1). The information contained in the below numbered paragraphs is either personally known to your Affiant or told to your Affiant by other law enforcement officers.

Facts Supporting Probable Cause

3. On January 28, 2021, investigators executed a search warrant at a residence on Schiller Street, Indianapolis, Indiana, which is located within the Southern District of Indiana. Through my investigation, I knew that Ricky BLYTHE lived at this residence, and BLYTHE was the target of the search warrant. BLYTHE was in the home when investigators searched it on January 28, 2021. BLYTHE was detained by investigators upon the investigators’ execution of the search warrant.

4. While searching Ricky BLYTHE's bedroom, investigators located five firearms, approximately one thousand (1,000) grams of suspected methamphetamine,¹ and distribution quantities of other controlled substances, to include suspected fentanyl, cocaine, marijuana and prescription pills. From my training and experience, I know that 1,000 grams of methamphetamine is commensurate with distribution, rather than personal consumption.

5. BLYTHE was advised of his *Miranda* warnings, and he voluntarily agreed to speak with investigators. BLYTHE stated in this interview that the methamphetamine and other controlled substances in the residence belonged to him, and BLYTHE stated he had been selling controlled substances since his release from jail in late 2020. From my review of BLYTHE's criminal history, I know that on or about April 30, 2020, BLYTHE was arrested and charged with Conspiracy to Deal in Methamphetamine in Johnson County, Indiana. BLYTHE was released later in 2020 on bond on that case, which is still pending in Johnson County (Cause Number 41D03-2004-F2-000010).

6. BLYTHE further stated the firearms recovered in the bedroom were for his protection. In this interview, BLYTHE also acknowledged he had previously been convicted of numerous felony offenses.

7. A computerized criminal history check (CCH) of BLYTHE shows BLYTHE had, in fact, sustained felony convictions in Indiana, to include felony Possession of Methamphetamine under Cause Number 49G20-1709-F5-036815 in Marion County, Indiana.

8. An interstate nexus expert with ATF reviewed the firearms characteristics and determined that the firearms in BLYTHE's home were not manufactured in the state of Indiana.

¹ The suspected methamphetamine was "field" tested and tested positive for the presence of methamphetamine. The recovered drug exhibit was submitted to the Drug Enforcement Administration (DEA) Laboratory for official analysis and purity testing.

By virtue of their presence in the State of Indiana, therefore, the firearms had to have been transported or shipped in interstate or foreign commerce

Conclusion

9. Based on the facts set forth in this affidavit, your Affiant submits that probable cause exists that on January 28, 2021, in the Southern District of Indiana, Ricky BLYTHE, having been convicted of crimes punishable by imprisonment for a term exceeding one year, did knowingly possess firearms, said firearms having been shipped and transported in interstate and foreign commerce, in violation of Title 18, United States Code, Section 922(g)(1). I further submit that BLYTHE possessed with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, in violation of Title 21, United States Code, Section 841(a)(1). I respectfully request this Court issue a Criminal Complaint charging BLYTHE accordingly, along with a warrant for his arrest.

/s/ Todd Bevington
Todd Bevington, Special Agent
Bureau of Alcohol, Tobacco, Firearms, and Explosives

Attested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by telephone.

Date: 1/29/2021

Tim A. Baker
Tim A. Baker
United States Magistrate Judge
Southern District of Indiana

